

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *W* D.C.

05 MAY 16 PM 5:11

ROBERT J. DE TROIS  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

BILLIE ODELL CARTER,

Plaintiff,

v.

SHERRI A. McCLAIN,

Defendant.

No. 04-2950 Ma/V

ORDER GRANTING DEFENDANT'S MOTION TO BIFURCATE

This case arises from an automobile accident. On January 14, 2004, defendant Sherri A. McClain filed a motion to bifurcate the issue of punitive damages. Plaintiff Billie Odell Carter filed a response on April 26, 2005, stating that "she is in agreement with the relief sought. The proper procedure in a punitive damages case is to bifurcate the trial on the issue of punitive damages." (Pl.'s Resp. at 1.) Accordingly, the court GRANTS Defendant's motion to bifurcate the issue of punitive damages.

So ordered this 16<sup>th</sup> day of May 2005.

*[Signature]*  
SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE

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Honorable Samuel Mays  
US DISTRICT COURT